IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 3RD JULY 2007 / 12TH ASHADHA 1929

Bail Appl..No. 3901 of 2007()

CMP.1597/2007 of J.M.F.C., MANNARKAD
CRIME NO.120/05 OF NATTUKAL POLICE STATION.

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PETITIONER/ACCUSED NO.8

NRIPAN RAJ, S/O. RAMAKRISHNAN,
AGED 27 YEARS, KARODAN VEEDU,
MATTATHUR VILLAGE, KODALI, THRISSUR DISTRICT.

BY ADV. SRI.A.C.DEVY

RESPONDENTS: STATE

THE STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 03/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A.NO. 3901 OF 2007

Dated this the 3rd day of July, 2007

ORDER

Application for regular bail. The alleged incident took place on 24/6/05. The petitioner is the 8th accused. The crux of the allegations is that the de facto complainant, who was travelling in a K.S.R.T.C. bus as a passenger, was chased and attacked by the miscreants including the petitioner who travelled in a Qualis car and pulled the de facto complainant out of the bus and robbed him. Investigation is pending. It is not complete. Some of the co-accused have not been arrested so far. The petitioner was arrested in some other crime. His arrest was recorded in this case on 5/6/07. He continues in custody from that date.

2. The learned counsel for the petitioner submits that the petitioner is absolutely innocent. Some of the co-accused, who have been arrested, have already been enlarged on bail. In these circumstances, it is prayed that the petitioner may

also be enlarged.

3. The learned Public Prosecutor opposes the application. The allegations are serious. Some of the co-accused are yet to be arrested. In these circumstances, the petitioner may not be enlarged on bail at this stage, it is submitted. The entire booty has not been recovered also, submits the learned Public Prosecutor.

4. Having considered all the relevant inputs, I find merit in the opposition by the learned Public Prosecutor. In a crime like the instant one, the Investigator is certainly entitled to reasonable further time to complete the investigation before the question of release of the petitioner on bail is considered.

5. This petition is, in these circumstances, dismissed. I may hasten to observe that the petitioner shall be at liberty to move the learned Sessions Judge or this Court for bail again at a later stage of the investigation – not, at any rate, prior to 17/7/07. The Investigator shall, the meantime, make every endeavour to complete the investigation.

Sd/-
(R. BASANT, JUDGE)

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//true copy// P.S. To Judge